

REMARKS

The Final Office Action mailed February 23, 2005, has been received and reviewed. Claims 1 through 23, and 25 through 31 are currently pending in the application, of which claims 1 through 9, 17 through 23, and 26 through 31 are currently under examination. Claims 10 through 16 and 25 are withdrawn from consideration as being drawn to a non-elected invention, and have been canceled. Claims 17 through 23 stand rejected. Applicant has canceled claims 10 through 16 and 25 and amended claims 1 through 9, 17 through 23 and 26 through 31, and respectfully request reconsideration of the application as amended herein.

Applicant has amended all of the claims to substitute the term "the" for occurrences of the term "said," and equivalent term, to place the claims in more colloquial English. Applicant has also amended claims 1 and 26 solely to enhance antecedent basis. Applicant has also amended claim 26 to delete the reference to "steps." Finally, Applicant has amended claim 17 to more clearly, patentably define over the Kobori et al. reference, and claims 18 and 19 to enhance antecedent basis.

Supplemental Information Disclosure Statement

Applicant wishes to draw the Examiner's attention to the Supplemental Information Disclosure Statement filed herewith and listing additional references of record in the divisional application hereof, Serial No. 10/666,236.

35 U.S.C. § 102(b) Anticipation Rejections**Anticipation Rejection Based on U.S. Patent No. 5,162,704 to Kobori et al.**

Claims 17 through 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kobori et al. (U.S. Patent No. 5,162,704). Applicant respectfully traverses this rejection, as hereinafter set forth.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Applicant wishes to express his appreciation to the Examiner for the precise and detailed rejection. Applicant has amended claim 17 to define over the reference, by reciting:

A method of making a column line structure for an addressing matrix of a field emission device, comprising:
forming an elongated conductive structure on a substrate;
forming a resistive layer directly on a top surface of the elongated conductive structure and over at least a portion of a side surface thereof;
forming an insulative layer covering a top surface of the resistive layer and leaving at least a portion of a side surface thereof exposed; and
forming a micropoint emitter over the substrate in lateral contact with the resistive layer and the insulative layer. (emphasis added)

Applicant notes that the resistive layer of Kobori et al. ("Kobori") is not formed directly on conductive structure (2) and over at least a portion of a side surface thereof, that the insulative layer formed on the resistive later does not leave at least a portion of a side surface thereof exposed, and that the micropoint emitter is not formed over the substrate in lateral contact with the resistive layer and the insulative layer. Therefore, claim 17 is not anticipated.

Claims 18 through 21 are allowable as depending from claim 17.

35 U.S.C. § 103(a) Obviousness Rejections

Obviousness Rejection Based on U.S. Patent No. 5,162,704 to Kobori et al. in view of U.S. Patent No. 5,578,896 to Huang

Claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kobori et al. (U.S. Patent No. 5,162,704) in view of Huang (U.S. Patent No. 5,578,896). Applicant respectfully traverses this rejection, as hereinafter set forth.

M.P.E.P. 706.02(j) sets forth the standard for a Section 103(a) rejection:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Claim 22 is allowable as depending from claim 17, as amended herein. Huang fails to cure the deficiencies in the disclosure of Kobori.

Obviousness Rejection Based on U.S. Patent No. 5,162,704 to Kobori et al.

Claim 23 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kobori et al. (U.S. Patent No. 5,162,704). Applicant respectfully traverses this rejection, as hereinafter set forth.

Claim 23 is allowable as depending from claim 17, as amended herein.

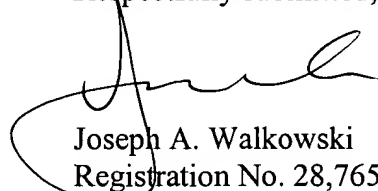
ENTRY OF AMENDMENTS

The proposed amendments to claims 1 through 9, 17 through 23 and 26 through 31 above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application.

CONCLUSION

Claims 1 through 9, 17 through 23 and 26 through 31 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicant's undersigned attorney.

Respectfully submitted,



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